

EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

Electrolytic Manganese Dioxide from Greece and Japan

Invs. Nos. 731-TA-406 and 408 (Review)

On August 5, 1999, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act Of 1930, as amended (19 U.S.C. §1675(c)(5)).¹

Regarding domestic interested parties, the Commission received a joint response containing company-specific data from two producers who support the continuation of the antidumping duty orders and a separate response from Eveready Battery Co. (“Eveready”), a U.S. producer of subject merchandise, which seeks the revocation of the antidumping duty order against Greece. The three U.S. producers account for all U.S. production of electrolytic manganese dioxide. Regarding respondent interested parties, the Eveready response also states that Eveready is the importer of all of the subject merchandise imported from Greece. Based on the information on the record, the Commission accepted Eveready’s representation that it is the importer of the subject merchandise from Greece.² In the review concerning Japan, the Commission did not receive a response from any respondent interested parties.

The Commission determined that the domestic interested party group response was adequate. The Commission also determined that the respondent interested party group response for Greece was adequate because Eveready accounts for 100 percent of the subject imports. Accordingly, the Commission decided to proceed to a full review for *Electrolytic Manganese Dioxide from Greece*.^{3 4 5} Because no respondent interested party responded to the notice of institution in the review

¹ Chairman Bragg and Commissioners Crawford and Hillman dissented from the decision to conduct full reviews in these proceedings, and determined that the Commission should conduct expedited reviews.

² Commissioner Crawford does not concur in this finding.

³ Chairman Bragg determined that in the absence of any response from producers of the subject merchandise in Greece or Japan, the respondent interested party group responses for both countries were inadequate.

⁴ Commissioner Crawford determined that no respondent interested party responded to the notice of institution concerning Greece. Therefore, she concluded that the respondent interested party group response concerning Greece was inadequate.

⁵ Commissioner Hillman determined that the volume of subject merchandise imported by Eveready was very small in light of the company’s U.S. production or the size of the U.S. market.

(continued...)

concerning Japan, the Commission determined that the respondent interested party group response in that review was inadequate. However, the Commission determined to conduct a full review for Japan to promote administrative efficiency in light of its decision to conduct a full review with respect to *Electrolytic Manganese Dioxide from Greece*.⁶

⁵(...continued)

Therefore, in the absence of responses from other importers or foreign producers, she finds that the respondent interested party group response is not adequate to warrant a full review.

⁶ Chairman Bragg and Commissioners Crawford and Hillman dissenting.